

Document No. 3509  
Voted at Meeting of 7/7/77

July 7, 1977

TO: Boston Redevelopment Authority

FROM: Robert F. Walsh, Director

SUBJECT: AMENDMENT TO CHAPTER 121A REPORT AND DECISION OF  
WOODBURY-CUNARD ASSOCIATES TO CORRECT A MINOR  
ZONING DEVIATION

On July 29, 1976 the Authority permitted the admission of The East Boston Community Development Corporation as a general partner and The East Boston Housing Renovation Corporation as limited partner to Woodbury-Cunard Associates, a Massachusetts limited partnership and the designated developer of Parcels 2A and 3 of the Sumner Street Neighborhood Development Program Area. The project and the limited partnership have been approved by the Authority and Mayor under the provisions of G.L.,C. 121A. The project is to be financed by the Massachusetts Housing Finance Agency.

The development provides 41 units of new and rehabilitated housing and 7,000 square feet of commercial space, half of the commercial space, 3,500 square feet will be in the Woodbury Building, located on Parcel 3 of the Sumner Street Neighborhood Development Program. The accessory uses contemplated for the Woodbury Building are intended to serve the residents of that building and neighboring residential building (Heritage Apartments) previously constructed pursuant to the Sumner Street Neighborhood Development Program.

When the Developer applied for a building permit, a technical division of the Woodbury Building for application purposes was made by the Building Department. This division results in two of the subdivisions, 3 Lewis Street/201 Sumner Street and 5 Lewis Street, being in technical violation of Section 10-1 of the Boston Zoning Code. Section 10-1 requires that the accessory uses of a lot not occupy more than twenty-five percent (25%) of the floor area of a building. The planned accessory uses of 3 Lewis Street/201 Sumner Street will occupy thirty-two percent (32%) of the gross floor area; those for 5 Lewis Street will occupy twenty-eight percent (28%) of the gross floor area. However, the Woodbury Building, considered as a whole has accessory uses which occupy only sixteen percent (16%) of the gross floor area.

A request has been submitted to the Authority for an amendment to the Authority's Final Report and Decision dated July 30, 1975 granting permission for the project to deviate from Section 10-1 as described above.

The staff has reviewed the requested deviations and deems them to be minimal. Therefore, permission to deviate from Section 10-1 of the Boston Zoning Code is reasonably necessary for the carrying out of the total Project and may be granted without substantially derogating from the intent and purpose of the Boston Zoning Code. This change is technical only and does not involve a fundamental change in the approved design or construction plans.



It is therefore, recommended that the request be approved and that a deviation from Section 10-1 of the Boston Zoning Code be granted for 3 Lewis Street/201 Sumner Street and 5 Lewis Street in the Sumner Street Neighborhood Development Program Area.

Appropriate Votes follow:

VOTED: That permission be and is hereby granted to Woodbury-Cunard Associates, an Urban Redevelopment Limited Partnership duly organized and existing under the provisions of G.L., C. 121A, to deviate from Section 10-1 of the Boston Zoning Code for 3 Lewis Street/201 Sumner Street and 5 Lewis Street and that said permission be forwarded by the Secretary to the Mayor for his concurrence.

VOTED: That the Authority's Report and Decision dated July 30, 1975 be amended by adding the following to the end of Section J: "In addition permission is granted to deviate from the following provision of the Boston Zoning Code:

Required

Section 10-1. Limitation of Area  
The accessory uses on a lot shall not occupy in the aggregate, more than twenty-five (25%) percent of the floor area.

Provided

3 Lewis Street/201 Sumner Street  
Thirty-two (32%) percent  
  
5 Lewis Street  
Twenty-Eight (28%) percent "

